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LIT-114/AME 1412

REMARKS

Claims 37-39 were rejected under 35 U.S.C. § 101. Claims 37-39 were rejected under 35 U.S.C. § 112, second paragraph. Claims 1-10, 12, 14-23, 26-29, and 31-39 were rejected under 35 U.S.C. § 103(a). Claims 11, 13, 24-25 and 30 were objected to.

Allowable Subject Matter

Applicants appreciate the Examiner's indication that claims 11, 13, 24-25 and 30 contain allowable subject matter and would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Rejection Under 35 U.S.C. § 101

Claims 37-39 were rejected under 35 U.S.C. § 101 because the claimed invention is directed to non-statutory subject matter.

Applicants respectfully traverse this ground of rejection.

Claims 37-39 refer to a computer-readable signal-bearing medium. MPEP § 2106 states that, "Computer-related inventions" include inventions implemented in a computer and inventions employing computer-readable media. Thus, claims 37-39 contain statutory subject matter.

Rejection Under 35 U.S.C. § 112

Claims 37-39 were rejected under 35 U.S.C. § 112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicants regard as the invention.

Applicants respectfully traverse this ground of rejection.

Examples of atomic data storage medium that existed at the time of the filing of applicants' specification include atomic force microscopy data storage and 3D Atomic Holographic Optical Data Storage Nanotechnology. Furthermore, biological data storage medium refers to biological material that records the polarization of light. Applicants assert that those of ordinary skill in the art would be knowledgeable of the terms "atomic data storage medium" and "biological data storage medium". Thus, the terms "atomic data storage medium" and "biological data storage medium" are definite.

Rejections Under 35 U.S.C. § 103 (a)

Claims 1-7, 9-10, 14, 17-23, 28-29, 33-34 and 36 were rejected under 35 U.S.C. § 103 (a) as being unpatentable over U.S. Patent Number 4,119,807 issued to Nahay on October 10, 1978 in view of U.S. Patent Number 7,006,456 issued to Rabipour et al. on February 28, 2006.

Claims 8 and 35 were rejected under 35 U.S.C. § 103 (a) as being unpatentable over Nahay in view of U.S. Patent Number 4,835,764 Issued to Sulzbacher on May 30, 1989.

Claim 12 and 31-32 was rejected under 35 U.S.C. § 103 (a) as being unpatentable over Nahay in view of U.S. Patent Number 5,883,986 issued to Kopec et al. on March 16, 1999.

Claims 15-16 were rejected under 35 U.S.C. § 103 (a) as being unpatentable over Nahay in view of U.S. Patent Number 5,057,932 issued to Lang on October 15, 1991.

Claims 26 was rejected under 35 U.S.C. § 103 (a) as being unpatentable over Nahay in view of U.S. Patent Number 3,649,763 issued to Thompson on March 14, 1972.

Claims 27 was rejected under 35 U.S.C. § 103 (a) as being unpatentable over Nahay in view of U.S. Patent Number 4,112,497 issued to Layland et al. on September 5, 1978.

Claims 37 and 39 were rejected under 35 U.S.C. § 103 (a) as being unpatentable over Nahay in view of U.S. Patent Number 6,779,129 issued to Gregg et al. on August 17, 2004.

Claim 38 was rejected under 35 U.S.C. § 103 (a) as being unpatentable over Nahay in view of Kopec and further in view of Gregg.

Rejection Under Nahay and Rabipour

Claims 1-7, 9-10, 14, 17-23, 28-29, 33-34 and 36 were rejected under 35 U.S.C. § 103 (a) as being unpatentable over Nahay in view of Rabipour.

Applicants have avoided this ground of rejection for the following reasons.

The Examiner proposes to combine Nahay with Rabipour to achieve applicants' claim 1. The Examiner contends that it would have been obvious to include the telephone exchange from Nahay with the media signal sources from Rabipour to achieve applicants' claim 1. Applicants thus understand it to be the Examiner's position that it would have been obvious to modify the telephone exchange in Nahay with the media signal sources from Rabipour. Applicants assert that even if it were proper to combine the cited references, the resulting combination would not make obvious applicants' claims. This is because neither Nahay nor Rabipour teach or suggest applicants' claim 1 limitation, as amended, that now recites

"a first communication node of a plurality of communication nodes connected with processorless central equipment, wherein the first communication node sends one or more first portions of node-output information to the processorless central equipment, and wherein the first communication node is not limited to a telephone, and wherein the first communication node and the processorless central equipment communicate through employment of a time division multiplexing format."

As stated in the Office Action, Nahay does not teach "wherein the first communication node is not limited to a telephone". Applicants note that neither Nahay nor Rabipour teach or suggest the amended limitation either.

Instead, Nahay discloses a telephone exchange having 128 audio input and 128 audio output lines. The telephone exchange receives analog voice signals from telephones connected to the 128 audio lines. The Examiner asserts that telephones attached to element 10, i.e., the 128 audio input lines, equates to the "a first communication node of a plurality of communication nodes connected with processorless central equipment", limitation in applicants' claim 1. The telephone exchange translates the received analog voice signals to pulse code modulation (PCM) digital voice signals for application to a time division multiplex (TDM) matrix at the telephone exchange, and translates outgoing PCM digital voice signals to analog voice signals for the telephones. In effect, Nahay's telephones communicate with the telephone exchange via analog signals. Upon arrival at the telephone exchange, the analog voice signals are converted to PCM signals. Thus, Nahay is missing "the first

communication node and the processorless central equipment communicate through employment of a time division multiplexing format" element, as recited in applicants' claim 1.

Rabipour discloses provides a method for managing a conference between a plurality of media signal sources generating media data packets conveying encoded media information and encoding type information. The Examiner asserts that Rabipour's media signal sources equate to the "a first communication node of a plurality of communication nodes", limitation in applicants' claim 1. However, Rabipour, similar to Nahay, does not teach or suggest "the first communication node and the processorless central equipment communicate through employment of a time division multiplexing format". This is because Rabipour's media signal sources communicate with the conference bridge via a packet switched network that carries packets between the media signal sources and the conference bridge, as stated in column 9, lines 41-48. Thus, Rabipour, similar to Nahay, is missing "the first communication node and the processorless central equipment communicate through employment of a time division multiplexing format" element, as recited in applicants' claim 1.

Thus, the clear teaching of Nahay with Rabipour is that the first communication node and the processorless central equipment do not communicate through employment of a time division multiplexing format.

Furthermore, the proposed combination of Nahay with Rabipour does not reflect the specific limitations recited in applicants' claim 1 since the resultant system would not be a properly functioning system. Specifically, Nahay discloses a telephone exchange that receives analog voice signals from telephones, and converts the analog voice signals to PCM digital voice signals for application to a TDM matrix at the telephone exchange. By contrast, Rabipour discloses a conference bridge that receives data packets from media signal sources via a packet network. Thus, the system that results from replacing the telephones in Nahay with the media signal sources from Rabipour would not be a properly functioning system.

Accordingly, since a person skilled in the art would not look to combine the references as suggested and since the combination would not result in the invention as claimed, applicants submit that the combination and resultant rejection are improper,

and therefore claim 1 is allowable over the proposed combination. Since claims 2-7, 9-10, 14, 17-23, 28-29, and 33 depend from allowable claim 1, these claims are also allowable over the proposed combination.

Independent claims 34 and 37 each have a limitation similar to that of independent claim 1, which was shown is not taught by the combination of Nahay with Rabipour. For example, claims 34 and 37 recite, "wherein the first communication node and the processorless central equipment communicate through employment of a time division multiplexing format". Therefore, claims 34 and 37 are likewise allowable over the proposed combination. Since claim 36 depends from claim 34, this dependent claim is also allowable over the proposed combination.

Rejections Under Nahay, Sulzbacher, Kopec, Lang, Thompson, Layland, Gregg

Claims 8 and 35 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Nahay in view of Sulzbacher.

Claims 12 and 31-32 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Nahay in view of Kopec.

Claims 15-16 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Nahay in view of Lang.

Claim 26 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Nahay in view of Thompson.

Claim 27 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Nahay in view of Layland.

Claims 37 and 39 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Nahay in view of Gregg.

Claims 38 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Nahay in view of Kopec, and further in view of Gregg et al.

Applicants respectfully traverse these grounds of rejection.

Claims 8, 12, 15-16, 26-27, and 31-32 depend from claim 1. Claim 35 depends from claim 34. Claims 38-39 depend from claim 37. As noted hereinabove, the combination of Nahay and Rabipour does not teach or suggest "wherein the first communication node is not limited to a telephone, and wherein the first communication

node and the processorless central equipment communicate through employment of a time division multiplexing format", as recited in applicants' independent claims 1, 34, and 37. Sulzbacher, Kopec, Lang, Thompson, Layland, and Gregg do not teach or suggest the elements either. Thus, claims 8, 12, 15-16, 26-27, 31-32, 35, and 38-39 are allowable over the proposed combinations under 35 U.S.C. § 103(a).

Conclusion

It is respectfully submitted that the Office Action's rejections have been overcome and that this application is now in condition for allowance. Reconsideration and allowance are, therefore, respectfully solicited.

In view of the above amendments and remarks, allowance of all claims pending is respectfully requested. If a telephone conference would be of assistance in advancing the prosecution of this application, the Examiner is invited to call applicants' attorney.

Respectfully submitted,



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